ELECTRICAL ADVISORY COMMITTEE MEETING JANUARY 20, 2004 MINUTES

Department of Housing, Buildings & Construction Electrical Section 101 Sea Hero Road, Suite 100 Frankfort KY 40601-5405

MEMBERS IN ATTENDANCE

Archer, James Holthouser, Norman G. Malone, Mary Moore, Jonathan Leake, Michael Osborne, Gary Pace, Chris Shelton, Don Shouse, Jerry

Strange, Jim

MEMBERS IN ABSENT

Howard, Jan

DEPARTMENT OF HOUSING STAFF IN ATTENDANCE

Bennett, Mike; Department of Housing Legal Counsel Dempsey, Frank; Department of Housing Legal Counsel

Henderson, Nelson; Division of HVAC Director

Langford, Dennis; Department of Housing Commissioner

Norman, Billy; Secretary; Boiler Section Perkins, Billy; Chief Electrical Inspector

VISITORS IN ATTENDANCE

Bell, Paul; International Brotherhood of Electrical Workers (IBEW) Local Union 369

Bohannon, Jack; Kentucky Burglar & Fire Alarm Association Hammer, Ralph; Metro Louisville Electrical Inspector (2263-C)

Burke, Lewis; Bowling Green Technical College

O'Bryan, William L.; International Brotherhood of Electrical (IBEW) Local Union 1701

Seider, Debbie; Department for Technical Education Sweat, Tonissa; Bowling Green Technical College

Silliman, Steve; International Brotherhood of Electrical Workers (IBEW) Local Union 369

Sutton, Tommy; Department for Technical Education

Studer, Tom; Electrical Inspector (2306-C) Thacker, Todd; Morehead State University

Trivette, Mel; Franklin County Inspector (2374-C)

Vernon, Doug; Kentucky Burglar & Fire Alarm Association

Waugaman, Gary; Northern Kentucky Electrical Association (*NKEA*) Wissman, Mike; Northern Kentucky Electrical Association (*NKEA*)

Meeting Called to Order

Don Shelton made a motion to call the meeting to order at 9:00 a.m. Chris Pace seconded the motion. All in favor, Motion carried.

Discussion - Low Voltage Wiring Exemption

Gary Osborne inquired what the Department found out from Legislature Research Committee (*LRC*) about the decision to exempt low voltage wiring for 50 volts or less if an individual is licensed in that particular trade. Legal Counsel Frank Dempsey stated that he has talked with Donna at LRC, which the exemption must be listed in the statutes and would had to be included in House Bill 115. Mr. Osborne stated that he was under the impression that the Department was going to be pursuing the House Bill. Commissioner Langford answered yes; the Department was to do so. The Representative would be there in the morning. He wanted to work with the representatives to resolve issues and was hoping to merge it.

Commissioner Langford stated "Please let us know about your wanted exemption. We will have to get with Gary Tapp about housekeeping bill." NOTE: Commissioner Langford received a phone call regarding the budget and had to be excused from the meeting. Legal Counsel Dempsey stated that there would not be a license for elevator installers. Legal Counsel Dempsey stated that the Department could look into creating low voltage certification or license. Mr. Osborne inquired what would the Department suggestions. Legal Counsel Dempsey stated that the easiest way would be to have low voltage exemption allowing others with current electrical license would be okay. However, how does the Department characterize it. Ralph Hammer inquired who was going to regulate this exemption. Mr. Hammer inquired if an individual needs a license or regulating. Legal Counsel Dempsey stated that the only exemption would be for the individuals who are already licensed. Mary Malone stated that just because they do not have license does not mean they don't have to pull a permit. Mr. Hammer stated that Metro Louisville inspects the work on a jobsite when it is first installed. Mr. Pace stated that an individual only has to have one permit.

Mr. Hammer stated that the people making connection do the inspection. If needed Metro Louisville could get more enforcement. Doug Vernon stated that he believes that if something is not done about the low voltage issue, "the good ole boy program will severely jeopardize life." Mr. Vernon stated that he would like to work with the Cabinet and the different governments.

Chairman Archer inquired what would be included in the low voltage exemption? Mr. Vernon stated that in other states, low voltage wiring affects burglar alarms, intercom, closed circuit TV, fire alarm etc. Mr. Vernon stated that he would like to see Divisions established with needed training standards for each field. The Federal government mandates to a point. Mike Wissman of *NKEA* inquired if there would be a temporary control license or would low voltage wiring license cover everything this. Mr. Vernon stated it would depend on how it gets written into law.

Legal Counsel Dempsey stated that he was concerned about separate licenses. It could not get through legislation and would be huge burden on the Department. Mr. Pace stated that it could be another level of the electrical contractors' license. Legal Counsel Dempsey stated that an individual would have to be an Electrical Contractor to get the permit. Mr. Osborne inquired if an individual could grandfathered in as low voltage contractors or would they be required to take an exam. An individual would not have to have Contractor license but a Contractors license of some type. Legal Counsel Dempsey inquired what are you going to require permit for. Mr. Vernon stated that Fire Alarm Inspectors have to have someone certified by the State Fire Marshal, which requires an individual to pass an exam administered by the State Fire Marshal's Office.

Tom Studer stated were permits through county, normally Building Inspector takes it upon himself to check it. Mr. Perkins stated that no one notifies the Department when low voltage is being put in after an initial inspection. Mr. Studer stated that in very seldom circumstances is there an electrical inspection on fire alarm installations.

Mr. Osborne inquired if the Department ties low voltage do their installers have to be certified. Mr. Osborne inquired if an individual could grandfather in the low voltage. Legal Counsel Dempsey believes an individual could grandfather in low voltage. However, it would be determined by National Electrical Code (NEC). Jonathan Moore stated that the Building Code does not mention an inspection being required. Mr. Perkins stated that the Building Code states that there has to be inspection on any installation. Mr. Osborne stated that there are eighty counties that don't know that an inspection is required.

Mr. Vernon inquired if there was a retail installer exempt. Mr. Perkins answered yes, which is outlined in the January 6, 2004 Electrical Advisory Bulletin. Mr. Vernon stated that ADT comes in a facility and mounts control panels. Mr. Perkins stated that a control panel is not an appliance. Mr. Vernon stated that Contractors of ADT says they don't need license. Mr. Vernon stated that someone needs to police this type situation. Mr. Perkins stated that this covered by the *NEC*. Legal Counsel Dempsey inquired what about other areas such as the internet. Mr. Perkins stated that it is also covered by the *NEC*. Mr. Osborne stated that it is covered by the *NEC* by not being inspected, which should have a requirement to be inspected. Mel Trivette stated that in regards to office buildings in Frankfort, he looks at low voltage and make Contractors strap the wiring up. Ms. Malone believes that Mr. Trivette has a good point by inspected low voltage in new buildings but from then on it is down hill. Mr. Osborne stated that the licensed Contractor is the one that suffers.

Mr. Wissman stated if inspections are performed on low voltage wiring, the standards would increase. Mr. Vernon stated that the reason is because written we have to prove we have a master electrician. It has been industry standard to hire contractors to do each different job. Why do they have to have a Masters License for each job? The cost to the industry would escalate across the board. Mr. Wissman inquired if these individuals would be able to grandfathered in. Legal Counsel Dempsey inquired if Mr. Wissman wanted these individuals to be licensed. Legal Counsel Dempsey inquired if the individuals should go under full master or have a different type of electrical license.

Mr. Vernon stated his organization would reiterate to National as long as it changes definition it is ok. Mr. Vernon stated that the major players in the industry would rather see standards that everyone has to go by. Legal Counsel Dempsey stated that this decision is going to affect industries that are not at the table. Mr. Osborne inquired what industries Legal Counsel Dempsey was referring to. Legal Counsel Dempsey stated the cable, satellite systems and computer systems. Legal Counsel Dempsey stated that the Committee would be requiring a license to someone that does not know that a license is required. Director of the Division of HVAC, Nelson Henderson stated that some of the organizations were present at the mechanical sub-committee in January 2004. Legal Counsel Dempsey inquired what the recommendation of the Committee has on the table. Legal Counsel Dempsey stated that there is a question from other organizations/trades to be exempt from the electrical licensing. Legal Counsel Dempsey inquired how the Committee wants to accommodate them.

Chairman Archer stated that he thought the exemption was to go to *LRC*. Legal Counsel Dempsey stated that it has to be included in a bill. You could address that part of it by coming up with language on low voltage a new exemption bill. Chairman Archer inquired if the Committee can make a recommendation to the bill. Legal Counsel Dempsey answered yes. Mr. Leake inquired if they would be exempt from inspection as well. Mr. Moore stated that inspections are not exempted according to the Building Code. Mr. Hammer inquired if the wording on the exemption could it be worded so that it would meet local requirements. Mr. Osborne agreed with Mr. Hammer. Mr. Vernon stated that the wording is in the statutes in Jefferson County, which states that all low voltage must be certified but there was no enforcement on inspection. Mr. Hammer stated that both parties were working together but the Commonwealth of Kentucky took away Jefferson Counties electrical licensing program. Mr. Osborne stated that it would be an effort to regulate the local government. Mr. Leake inquired if Mr. Osborne was

referring to regulate through inspection. Mr. Moore inquired if inspections were not required. Mr. Perkins answered yes, but only in accordance with the *NEC*.

Hank Hancock stated that the electrical licensing bill laid on the legislature floor for 20 years. Mr. Hancock stated that the legislators do not want the Electrical Advisory Committee to get the issues mixed up. The legislature session is one third of the way over and the Senators are waiting for a final decision to be made on this subject.

Mr. Moore made a motion to take a break. Mr. Pace seconded the motion. All in favor. Motion carried.

Mr. Osborne made a motion to reconvene the meeting after a 15 minute break. Mr. Shelton seconded the motion. All in favor, Motion carried.

Approval of the Committee Minutes

Chairman Archer inquired if there was a motion to approve the last Committee meeting minutes, December 16, 2003. Mr. Pace believes that there is an error on page eight. Mr. Osborne made a motion to accept the minutes as submitted. Mr. Pace seconded the motion. All in favor. Motion carried.

Mr. Moore inquired if it would it be possible to email the minutes to the Committee Members before the meetings. Mr. Pace requested that the highlights of minutes be emailed to the Committee Members.

Chairman Archer stated that the Committee needs a recommendation from the Sub-Committee. Ms. Malone inquired if the Sub-Committee needs to make a recommendation or create an exemption. Mr. Leake stated that this is a good idea long term, but a bad idea for the immediate future. This does not prevent adding on later in time.

Mr. Moore made a motion to "Isolated Class 2 and 3 Low Voltage Power - Limited Installations for Interconnection of Coordinated Devices be recognized not to provide telecommunications; and are exempt for Electrical Licensures under appliance installer and/or telecommunications installers' exemptions under House Bill 115."

Mr. Perkins stated that "appliance" does not to be included due to the fact that anything plugged in is considered an appliance. Mr. Vernon stated that an average control panel comes with a cord. Mr. Leake stated that this does not exempt anyone from an inspection. Mr. Studer stated that UL listing says "appliance" on some equipment. Mr. Vernon stated that everything must have a UL or FM approval. Mr. Perkins stated that it has to be listed and labeled

Mr. Moore stated that he would rewrite his motion. Chairman Archer inquired if anyone sees any problems? Legal Counsel Dempsey stated that Mr. Moore does not have to say telecommunications or such if you say Heat, Light & Power. Mr. Hammer stated that the argument that comes up is that unlicensed individuals are not required to "clean up" the incorrect installation "mess".

Ms. Malone seconded Mr. Moore's motion. Mr. Moore moves to amend his motion to state: "Isolated Class 2 and 3 Low Voltage Power - Limited Installations for Interconnection of Coordinated Devices be recognized not to provide telecommunications; and are exempt for Electrical Licensures pursuant to House Bill 115." Ms. Malone seconded the motion. All in favor. Motion carried.

Legal Counsel Dempsey stated that he could address a lot of this discussion. If the changes on the bill go forward, the Committee will set the fee(s). The Committee could set active license fee when the bill is passed, and later have an inactive status. Legal Counsel Dempsey stated that *LRC* disagree with having an inactive electrical license. However, the Department has a bill in legislation to have allow for an

inactive status. Until the bill gets passed there will not be an inactive status. Ms. Malone stated that if the bill allowing inactive status goes through, then the Committee would have to clarify on the continued education. Legal Counsel Dempsey stated that the Committee has already addressed continuing education. However, Legal Counsel Dempsey will review continuing education thoroughly.

Electrical Inspector Review – James E. Mudd

Mr. Pace made a motion to approve James Mudd's application for an Electrical Inspector. Mr. Osborne seconded the motion. All in favor, Motion carried.

Time Limitation on Exam Scores

Mr. Osborne stated that he has an item that is not on the agenda but would like to be discussed. Mr. Osborne stated that if an individual takes an electrical exam, is there a time limit when the exam scores are valid. Legal Counsel Dempsey stated that the exam scores are valid until the Committee adopts/changes the approved test(s). Mr. Pace stated that the Committee will probably add more test forms than we will do away with. Legal Counsel Dempsey stated that the Committee will not get too much change on exams.

Continuing Education for Instructors

Mr. Osborne inquired if instructors would require continuing education. Debbie Seider of the Department of Technical Education stated that their Instructors are required to have 25 hours of technical training per year. Chairman Archer asked Ms. Seider to submit their *PD* and it will count as their *CEW*. Mr. Pace stated that teaching is not continued education. Mr. Osborne inquired if instructors have to take classes from other instructors. Mr. Vernon suggests that 1/3 of continuing education HVAC instructors get to count their teaching hours as their continuing education.

Chairman Archer asked Mr. Henderson if HVAC has dealt with apprentices. Mr. Henderson stated that the Division of HVAC is working on it. Mr. Osborne inquired if out-of-state agencies are approved. Legal Counsel Dempsey answered yes, if the HVAC Board has approved the out-of-state agencies.

Ms. Malone made a motion to allow continuing education Instructors credit for teaching their continuing education courses/classes. Motion failed due to lack of second.

Mr. Pace made a motion to allow Master Electrician and Contractor continuing education Instructors to get continuing education credits for teaching. Mr. Shelton seconded the motion. All in favor. Motion carried.

Ms. Malone inquired if apprenticeship instructors would get continuing education credits for the courses that they teach. Mr. Pace answered no. Mr. Pace made a motion to table the discussion.

Lineman Licensure

Mr. Osborne inquired if lineman is subject to inspection or electrical licensure requirements. Mr. Perkins stated that service linemen are exempt in the *NEC* on private property and on the right of the way. Chairman Archer stated that the *NEC* clearly states that. *NEC*. Mr. Leake stated that most of the time the linemen are working through an individual that has an electrical license. Mr. Leake stated that private work should be inspected and be performed by a licensed Electrician and linemen should be licensed as well. Legal Counsel Dempsey stated that this issue is not on the agenda.

Mr. Moore made a motion to table and take a break. Mr. Pace seconded the motion. All in favor. Motion carried.

Mr. Shelton made a motion to reconvene the meeting. Mr. Pace seconded the motion. All in favor. Motion carried.

Continuing Education Review – Bowling Green Technical College

Chairman Archer inquired if there was any discussion of Bowling Green Technical College continuing education submittal. Mr. Pace questioned the class content submitted. Mr. Leake stated that the instructors qualifications are not detailed enough for approval. Mr. Pace stated that the Committee needs a resume and more detailed information on the classes that are to be taught. Mr. Pace stated that Bowling Green also needs to include in their re-submittal what type of continuing education they would like to teach: Master/Electrician or Contractor.

Mr. Pace made a motion to table Bowling Green Technical College's submittal for continuing education approval until the information is submitted to the Committee to clarify class content, Instructor qualifications, and type of approval they are requesting. Mr. Shelton seconded the motion. All in favor. Motion carried.

<u>Continuing Education Review – Morehead State University</u>

Chairman Archer if there was any discussion on Todd Thacker of Morehead State University. Mr. Osborne made a motion to approve Todd Thacker of Morehead State University as a continued education Instructor, Mr. Pace seconded the motion. All in favor, Motion carried.

<u>Continuing Education Review – Department of Technical Education</u>

Chairman Archer if there was any discussion on Department of Technical Education. Mr. Pace made a motion to table the Department of Technical Education. Mr. Shelton seconded the motion. All in favor. Motion carried.

Continuing Education Instructor Review - IBEW

Chairman Archer stated that IBEW need to get the Instructor approved.

Continuing Education Review – Bobby Hamilton of South KY RECC

Chairman Archer if there was any discussion on Bobby Hamilton of South Kentucky RECC. Mr. Osborne made a motion to approve Bobby Hamilton as a continuing education provider. Mr. Pace seconded the motion. All in favor. Motion carried.

Mr. Perkins stated that tripods or private property would have to be inspected. Mr. Osborne made a motion to exempt. Mr. Pace seconded the motion. All in favor. Motion carried.

Meeting Adjournment

Chairman Archer stated that the next meeting would be held at February 3, 2004 at 9 am.

<u>Electrical Advisory Committee meeting note:</u> The tape for this Committee meeting did not properly record. Therefore, any and all discussion from this meeting could not be retrieved for proper record of the meeting.